

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

JAMES VICK

PLAINTIFF

v.

Civil No. 06-3067

C. E. "CHUCK" MEDFORD, Sheriff,
Carroll County; LT. BETH REELY;
SGT. ROB MCGEE; OFFICER MARK LOTT;
OFFICER MICHAEL BROWN; OFFICER
DEBBIE DAVIS; OFFICER DAVE HENDERSON;
OFFICER DISHEROON; DEPUTY JOHN RAINS;
and, DEPUTY GREG NOFSTGER

DEFENDANTS

ORDER

Plaintiff's complaint was filed in this case on October 23, 2006. Before the undersigned is the issue of whether the complaint should be served. In order to assist the court in making such determination, it is necessary that plaintiff provide additional information.

Accordingly, it is ordered that plaintiff, James Vick, complete and sign the attached addendum to his complaint, and return the same to the court **by December 4, 2006. Plaintiff is advised that should he fail to return the completed and executed addendum by December 4, 2006, his complaint may be dismissed without prejudice for failure to prosecute and/or for failure to obey an order of the court.**

IT IS SO ORDERED this 6th day of November 2006.

/s/ Beverly Stites Jones
HON. BEVERLY STITES JONES
UNITED STATES DISTRICT JUDGE

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ADDENDUM TO COMPLAINT

TO: JAMES VICK

This form is sent to you so that you may assist the court in making a determination as to the issue of whether the complaint should be served upon the defendants. Accordingly, it is required that you fill out this form and send it back to the court **by December 4, 2006**. Failure to do so will result in the dismissal of your complaint.

The response must be legibly handwritten or typewritten, and all questions must be answered completely in the proper space provided on this form. If you need additional space, you may attach additional sheets of paper to this addendum.

RESPONSE

In your complaint, you allege your rights were violated while you were incarcerated at the Carroll County Jail. Specifically, you allege you were forced to strip naked and placed in an isolation cell without being afforded a disciplinary hearing. You contend that this cell was dark, damp, and cold; had ice on the walls; had no running water; had no toiletries; and had no bedding. You state that you remained in this cell without food for over twelve hours. Further, you indicate

that you were forced to walk to the dressing room naked, allowed to dress, and then placed in an observation cell with another inmate who was dressed in nothing but a velcro vest. You allege that this cell had only one bed, which was already occupied by the other inmate. You also contend that this cell was cold, dark, and damp and that the toilet frequently flooded, resulting in human waste standing on the cell floor. At this time, you state that you were not allowed to shower, brush your teeth, have pen or paper, see visitors, have a bible, read mail, receive phone calls, or have recreation time. In addition, you allege that you went without toilet paper for four days, were only allowed to mop the cell floor on one occasion, had only one forty watt bulb in the cell, and were not allowed to file a grievance. You also contend that you witnessed an officer spitting in the inmates' food in 2003, were ordered to cut inmate portions in half so that there would be enough food for the local and state police, were physically abused by Officer Dave Henderson, were forced to strip in front a female dispatcher, were forced to handle evidence in active cases, and were forced to perform the duties of a jailer.

1. You allege that you were placed in an isolation cell without a disciplinary hearing.

Please state the reason your were placed in this cell and the date.

2. Who forced you to walk to the dressing room naked? Please provide the date.

3. You state you were placed in an observation cell with another inmate. How long were you housed in this cell? Please be specific and provide dates.

4. You allege that you went four days without toilet paper. Was this problem reported to the proper authorities? If so, please provide the name of the person it was reported to and the date it was reported.

5. You allege that you were not allowed to shower or brush your teeth. Please state the dates that you were not allowed to do so.

6. You contend that you were not allowed to file grievances regarding your cell conditions. Please state the date(s) you requested to file a grievance and the person(s) who refused your request.

7. You contend that the toilet in the observation cell frequently flooded. How often did this occur?

8. Was this problem reported to the proper authorities?

Yes _____ No _____

If you answered yes, who was it reported to and when was it reported (date)?

9. You allege that you were forced to sleep in the center of the room where the fecal material was standing on the cell floor. Please indicate who ordered you to sleep there and the date you were ordered.

10. Was this person aware or made aware of the alleged conditions in the cell?

11. How did the filthy jail conditions harm you? Be specific in your answer.

12. You state that you were fed three peanut butter sandwiches per day. How did this harm you?

13. You contend that you were not given anything to drink with your meals. Was there water available for you to drink, such as through a sink in the cell or on the pod?

14. You indicate Officer Dave Henderson was physically abusive to you. Please indicate: (a) the date(s) the alleged physical abuse occurred; (b) what was occurring when he used force against you; (c) the amount of force he used; (d) whether you were resisting him in anyway; (e) whether you were charged with a crime or disciplinary violation as a result of your actions; and (f) any injuries you sustained.

15. You allege that your federal constitutional rights have been violated by numerous defendants. Please explain how each defendant has violated your rights. Be specific and provide dates.

C. E. "CHUCK" MEDFORD, SHERIFF:

LT. BETH REELY:

SGT ROB MCGEE:

OFFICER MARK LOTT:

OFFICER MICHAEL BROWN:

OFFICER DEBBIE DAVIS:

OFFICER DAVE HENDERSON:

OFFICER DISHEROON:

DEPUTY JOHN RAINS:

DEPUTY GREG NOFSTGER:

16. You also allege that your rights were violated by “all other officers of the Carroll County Sheriff’s Office who worked at the Sheriff’s Office between April 30, 2003, and December 2003.” In order to evaluate your claim, we will need to know the name(s) of these individuals, their title, how they violated your constitutional rights, and the date the violation occurred.

I CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS COVERED BY
THE VERIFICATION MADE BY ME ON MY INITIAL COMPLAINT.

JAMES VICK

DATE